

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

T. SHARNAI THOMPSON,  
MARK DYER, and TAMMY DYER,

Plaintiffs,

V.

DIAMOND STATE INSURANCE CO.,  
NATIONAL EQUINE ADJUSTING,  
INC., and JACKIE C. STARNES,  
d/b/a STARNES INSURANCE AGENCY,

Defendants.

CASE NO. 4:06cv154


**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On July 12, 2007, the modified report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motions for Summary Judgment be DENIED.

The Court, having made a *de novo* review of the objections raised by Defendants, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Defendants are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

It is, therefore, **ORDERED** that the Defendants' Motions for Summary Judgment are **DENIED**.

**SIGNED this 10th day of September, 2007.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE